

jc882 U.S. PTO  
08/14/01

8-15-01

A

Anticipated Classification  
of this Application:  
Class 435 Subclass         

Prior Application:  
Examiner M. Brannock  
Group Art Unit 1646

Attorney's  
Docket  
No. 35997-A3ZYA/JPW/ADM

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

JC973 U.S. PTO  
09/229313  
08/14/01

S I R:

August 14, 2001

This is a request for filing a X CONTINUATION

         DIVISIONAL          CONTINUATION-IN-PART application under

X 37 C.F.R. §1.53(b)          37 C.F.R. §1.53(d)<sup>1</sup>, of pending prior application

Serial No. 09/145,864 filed on September 2, 1998 of

Hung-Teh Kao, Paul R. Hartig and Theresa Branchek for

Inventor(s)

DNA ENCODING A HUMAN SEROTONIN (5-HT<sub>2</sub>) RECEPTOR AND USES THEREOF

Title of Invention

X Enclosed is a copy of the prior application, as originally  
filed and an affidavit or declaration verifying it as a  
true copy.

         A verified statement to establish small entity status under  
37 C.F.R. §1.9 and 1.27

         is enclosed.

         was filed in the prior application and such status  
is still proper and desired (37 C.F.R. §1.28(a)).

X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE			FEE	
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	7-20	=	0	X	9	18	=	\$	\$ 0
Independent Claims	3-3	=	0	X	40	80	=	\$	\$ 0
Multiple Dependent Claims Presented:				Yes <u>X</u> No	135	270	=	\$	\$ 0
					BASIC FEE			\$355	\$ 710
					TOTAL FEE			\$	\$ 710

If the difference in Col. 1 is  
less than zero, enter "0" in  
Col. 2.

Filing an application pursuant to this section expressly abandons the  
parent application.

Page 2

- John P. White (Reg. No. 28,678); Thomas F. Moran (Reg. No. 16,579); Ivan S. Karukov (Reg. No. 25,161); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Thomas G. Carulli (Reg. No. 30,616); Robert D. Katz (Reg. No. 30,141); Peter A. Luccarelli, Jr. (Reg. No. 29,750); Peter J. Phillips (Reg. No. 29,691).

Hung-Teh-Kao, et al.  
Serial No.: Not Yet Known  
Filed: Herewith

Cont/Div./FWC  
Page 3

- (a)   X   The power appears in the original papers in the prior application.
- (b)        Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c)   X   Address all future communications to:  
(May only be completed by applicant,  
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

  X  

Also enclosed Express Mail Certificate of Mailing No.

EL525962900US

dated August 14, 2001, duplicate set of  
figures

  X  

I hereby verify that the attached papers are a true copy of prior application Serial No. 09/145,864 as originally filed on September 2, 1998, which in turn was ultimately a copy of prior application Serial No. 07/429,832 filed October 31, 1989

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

August 14, 2001

Date

Signature Alan J. Morrison Reg. No. 37,399

       INVENTOR(S)

       ASSIGNEE OF COMPLETE INTEREST

       ATTORNEY OR AGENT OF RECORD

  XX   FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, N w York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hung-Teh Kao, et al.  
U.S. Serial No. : Not Yet Known  
Filed : Herewith  
For : DNA ENCODING A HUMAN SEROTONIN (5-HT<sub>2</sub>)  
RECEPTOR AND USES THEREOF

1185 Ave of the Americas  
New York, New York 10036  
August 14, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attn: Box Patent Application

Sir:


**EXPRESS MAIL CERTIFICATE OF MAILING  
FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" Mailing Label Number: EL525962900US  
Date of deposit: August 14, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, Attn. Box Patent Application.

  
Printed Name Samuel Khach

Respectfully submitted,

  
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